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2 IN THE UNITED STATES DISTRICT COURT  
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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7 BOARD OF TRUSTEES OF THE SHEET METAL WORKERS, et al., No. C 04-0231 SBA

8 Plaintiffs.

9 **ORDER**

10 v.

11 CLIMATE INDUSTRIAL ENGINEERING, INC.,

12 Defendant.

13 This matter comes before the Court on Magistrate Judge Brazil's Report and Recommendation re  
14 Defendant's Claim of Exemption [Docket No. 46]. None of the parties to the instant action has filed any  
15 objections to the report.

16 Having considered the report, and the recommendation therein, and for good cause appearing, this  
17 Court hereby ADOPTS Magistrate Judge Brazil's Report and Recommendation re Defendants' Claim of  
18 Exemption. The Court finds that the statutes upon which Defendant relies for its claim of exemption are not  
19 applicable to a corporate judgment debtor.

20 Accordingly,

21 IT IS HEREBY ORDERED THAT Magistrate Judge Brazil's Report and Recommendation re  
22 Defendant's Claim of Exemption [Docket No. 46] is ADOPTED and Defendant's claim of exemption is  
23 DENIED.

24 IT IS FURTHER ORDERED THAT the United States Marshal shall disburse the funds, currently in  
25 the possession of the United States Marshal pursuant to the levy imposed in the above-captioned

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1 matter, to Plaintiffs.

2 IT IS SO ORDERED.

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5 Dated: 9-12-05

*Saundra B. Armstrong*  
6 SAUNDRA BROWN ARMSTRONG  
7 United States District Judge  
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